

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

WILLIAM G. SHEALY,)	
)	
Plaintiff,)	
)	
v.)	
)	No. 4:13-cv-02127-TLW-TER
CAROLYN W. COLVIN,)	
Acting Commissioner of)	
Social Security)	
)	
Defendant.)	
_____)	

CONSENT ORDER

Defendant, Carolyn W. Colvin, Acting Commissioner of Social Security, by her undersigned attorneys, William N. Nettles, United States Attorney for the District of South Carolina, and Barbara M. Bowens, Assistant United States Attorney for said district, has moved this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter judgment with an order remanding the case to the Commissioner for further administrative proceedings.¹

On order of the Court, the agency's Appeals Council will remand the case to an ALJ with instructions to re-evaluate whether Plaintiff is disabled without consideration of medical evidence that is unrelated to Plaintiff and that was erroneously included in the medical record. Plaintiff's counsel, Anne Bell Fant, Esq., informed agency counsel that

Plaintiff consented to remand on this basis and filed a response in support of the motion. (Doc. #13).

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby

REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** of the cause to the Commissioner for further administrative proceedings as set out above. *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

AND IT IS SO ORDERED.

s/Thomas E. Rogers, III
THOMAS E. ROGERS, III
United States Magistrate Judge

November 25, 2013.
Florence, South Carolina.

¹ The Clerk of the Court will enter a separate judgment pursuant to Fed. R. Civ. P. 58.